

UNITED STATES OF AMERICA  
UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

DONALE EUGENE BROWN, JR.,

Petitioner,

Case No. 1:11-cv-546

v.

Honorable Paul L. Maloney

SHIRLEE HARRY,

Respondent.

**ORDER**

In accordance with the Opinion entered this day:

**IT IS ORDERED** that a certificate of appealability from the judgment issued this date is **DENIED** because a reasonable jurist could not conclude either that the district court erred in dismissing the petition for failure to exhaust or that the petitioner should be allowed to proceed further. *Slack v. McDaniel*, 529 U.S. 473, 484 (2000).

Dated: June 27, 2011

/s/ Robert J. Jonker

Robert J. Jonker for  
Paul L. Maloney  
Chief United States District Judge